

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
JEFFERSON JONES,)	
Plaintiff)	
)	
v.)	
MARY M. WALKER, in her individual)	Civil Action No.05-10102 RCL
capacity)	
)	
Defendant)	
_____)	

LOCAL RULE 16.1(D) JOINT STATEMENT

Pursuant to Federal Rule of Civil Procedure Rule 26(f) and Local Rule 16.1, the parties in this case submit this Joint Statement.

A. A concise summary of the positions asserted by the plaintiff, defendant and any other parties with respect to both liability and relief sought:

1. The plaintiff claims that the defendant Mary Walker, a Wareham police officer, violated his civil rights by arresting him without probable cause and using excessive force to do so. During the course of his arrest, the plaintiff claims that Officer Walker handcuffed him with such force that he began to cry in pain. As a result of Walker's actions, the plaintiff has suffered nerve damage in his hands which has resulted in permanent damage. The plaintiff asks the Court to award him compensatory and punitive damages as well as attorney's fees.
2. The defendant denies the plaintiff's claims.

B. Pursuant to Federal Rule of Civil Procedure Rule 26(f) and Local Rule 16.1(D), all parties submit this Joint Statement outlining their proposed discovery plan for this case:

1. On April 6, 2005, counsel for all parties conferred by a conference telephone call.
2. The parties considered the nature and basis of their claims and defenses and the possibilities for a prompt settlement or resolution of the case. They concluded that a prompt settlement was not possible and that settlement discussions would continue.

3. The parties provided the disclosures required by Rule 26(a)(1), and developed the following proposed discovery plan:
 - a. Depositions of witnesses, other than experts, will be completed by January 13, 2006;
 - b. Discovery will be completed by January 13, 2006;
 - c. Plaintiff will disclose expert witnesses on or before February 13, 2006;
 - d. Defendant will disclose expert witnesses on or before March 13, 2006;
 - e. Depositions of expert witnesses will be completed on or before April 13, 2006;
 - f. Dispositive motions shall be filed on or before June 13, 2006.
- C. On Wednesday, April 13, 2005, pursuant to Local Rule 16.1(C), the Plaintiff presented a written settlement proposal to the Defendant.
- D. Attached are two certifications signed by counsel and their clients affirming that each party and that party's counsel have conferred:
 - (a) with a view to establishing a budget for the costs of conducting the full course – and the various alternative courses – for the litigation; and
 - (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in L.R. 16.4.

JEFFERSON JONES

By his attorney,

/s/ Michael L. Altman

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MARY WALKER

By her attorney,

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DATED: APRIL 27, 2005